THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Writ Petition No.18380 of 2007

07.09.2007

Between

K.Vishwanath

…Petitioner

And

Hyderabad Urban Development authority (HUDA), rep.by its Vice Chairman & Managing Director, Begumpet, Hyderabad.

…Respondent

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Writ Petition No.18380 of 2007

ORDER:

This writ petition is filed by the petitioner, who is stated to be a purchaser of a plot in the auctions that were conducted by the respondent, seeking a direction to the respondent to register the plot purchased by him in his favour.

It is stated that there is a dispute between the parties with reference to payment of interest on the delayed payment of sale consideration, which is the subject matter of a suit, being O.S.No.5486 of 2006 on the file of the learned V Junior Civil Judge, City Civil Court, Hyderabad. However, the petitioner is stated to have approached the

respondent seeking registration of the plot in his favour pending adjudication of the said dispute which was negatived by the respondent. Hence, the present writ petition.

Admittedly, since the auction sale and purchase create contractual relationship between the petitioner and the respondent, this writ petition cannot be maintained. Apart from that, there is a dispute existing between the parties as to the payment of interest on the delayed payment of sale consideration which is the subject matter of a suit referred to above. Since the petitioner has already approached the civil Court seeking appropriate relief against the respondent, this Court declines to entertain the writ petition.

The writ petition is accordingly dismissed. No costs.

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07.09.2007

VGB